

REMARKS

Claims 1, 3-6, 8-12, 14-15 and 17-22 were examined by the Office, and in the final Office Action of October 9, 2009 all claims are rejected. With this response, claims 1, 3, 5-6, 8-9, 12, 14-15 and 17-22 are amended. All amendments are fully supported by the specification as originally filed. Support for the amendments can be found at least from page 5, lines 7-12 & 27-32, page 6, lines 2-6 and page 7, lines 24-29. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

This response is submitted along with a Request for Continued Examination (RCE).

Claim Objections

In section 1, on page 2 of the Office Action, claim 9 is objected to due to informalities. Claim 9 is amended to recite “for being forwarded in a transparent container” in order to clarify the limitations of claim 9. Applicant respectfully submits that claim 9 is clear in view of the amendment to claim 9, and respectfully requests withdrawal of the objection to claim 9

Claim Rejections Under § 103

In section 7, on page 3 of the Office Action, claims 1, 3-6, 8-12, 14-15 and 17-22 are rejected under 35 U.S.C. § 103(a) as unpatentable over Torabi (EP 1 076 463) in view of Khullar (U.S. Patent No. 6,748,246). Applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references, because the cited references fail to disclose or suggest all of the limitations recited in claim 1. The cited references, alone or in combination, at least fail to disclose or suggest sending service request signalling to a network device operating in a first mode for requesting a service in at least one of various modes supported by the multimode terminal, said service being unsupported by the multimode terminal in the first mode, as recited in claim 1.

Torabi provides a virtual home environment for an away-from-home wireless subscriber by means of a supporting network. The supporting network is interconnected with the subscriber’s home network and visited network. The network interconnection is realized by use of a network-network interface protocol that enables the visited network to provide a service that

is supported by the subscriber's home network but is not supported by the visited network. See Torabi paragraph [0005]. Therefore, the supporting network of Torabi acts as an intermediary between the home network and the visited network. See Torabi Figure 2. A service that is available to the wireless subscriber in its home network but is not available in the visited network is brought from the home network to the visited network through the interconnected supporting network.

In contrast to claim 1, Torabi does not disclose or suggest sending service request signalling to a network device operating in a first mode for requesting a service, in which the service is unsupported by the multimode terminal in the first mode, as recited in claim 1. Claim 1 is amended to recite unsupported by the multimode terminal, instead of "unsupported by the network device or by the multimode terminal." Accordingly, Torabi only discloses services that may be unavailable at a visited network, and does not disclose or suggest services that may be unavailable to a terminal operating in a particular mode. In fact, the Office acknowledges on page 3 of the Office Action that Torabi does not disclose a multimode terminal or that the services may be provided by different modes, and relies upon Khullar for these teachings. However, Khullar also fails to disclose or suggest the service is unsupported by the multimode terminal, because Khullar is related to selecting an optimal access technology within a mobile station. See Khullar column 3, lines 66-67. Therefore, for at least the reasons discussed above, claim 1 is not disclosed or suggested by the cited references.

Independent claims 6, 12, 15, 18 and 20-22 contain limitations similar to those recited in claim 1, and therefore are not disclosed or suggested by the cited references for at least the reasons discussed above with respect to claim 1.


The dependent claims rejected above all ultimately depend from an independent claim. Therefore the dependent claims are not disclosed or suggested by the cited references at least in view of their dependencies.

Conclusion

It is earnestly requested that the application be reconsidered, and that the claims be allowed. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

15 December 2009  
Date

  
\_\_\_\_\_  
Keith R. Obert  
Attorney for the Applicant  
Registration No. 58,051

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
755 Main Street, PO Box 224  
Monroe CT 06468  
Phone: (203) 261-1234  
Facsimile: (203) 261-5676